I am a concerned user and programmer. I use Microsoft products as
well as Apple products. I also use quite a few different UNIX systems
as well as Linux. In fact, my use of Linux and related open source
products such as Apache has been growing. I'm concerned that the
not-for-profit organizations appear to have been left out of the
settlement. It appears to me that Microsoft's current competition is
these very organizations and that they must be specifically included
in the settlement.

I'm also concerned about the make-up of the three person panel. That
seems to me to be too small a number of persons to properly assess
the vast number of software technologies involved. I've spent my
professional career in software development and am familiar with more
many operating systems and platforms and more programming languages,
yet certainly wouldn't feel qualified to sit on such a small panel
wielding such large influence. I don't think any group of three
persons could do a satisfactory job. I'd be more inclined to support
a group of seven or more persons, along with some support staff.

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 From comments by Robert X. Cringely:
>The remedies in the Proposed Final Judgement specifically protect
>companies in commerce -- organizations in business for profit. On
>the surface, that makes sense because Microsoft was found guilty of
>monopolistic activities against "competing" commercial software
>vendors like Netscape, and other commercial vendors -- computer
>vendors like Compaq, for example. The Department of Justice is used
>to working in this kind of economic world, and has done a fair job
>of crafting a remedy that will rein in Microsoft without causing
>undue harm to the rest of the commercial portion of the industry.
>But Microsoft's greatest single threat on the operating system front
>comes from Linux -- a non-commercial product -- and it faces a
>growing threat on the applications front from Open Source and
>freeware applications.
>
>The biggest competitor to Microsoft Internet Information Server is
>Apache, which comes from the Apache Foundation, a not-for-profit.
>Apache practically rules the Net, along with Sendmail, and Perl,
>both of which also come from non-profits. Yet not-for-profit
>organizations have no rights at all under the proposed settlement.

>It is as though they don't even exist.
>
>Section III(J)(2) contains some very strong language against
>not-for-profits. Specifically, the language says that it need not
>describe nor license API, Documentation, or Communications Protocols
>affecting authentication and authorization to companies that don't
>meet Microsoft's criteria as a business: "...(c) meets reasonable,
>objective standards established by Microsoft for certifying the
>authenticity and viability of its business, ..."
>So much for SAMBA and other Open Source projects that use Microsoft
>calls. The settlement gives Microsoft the right to effectively kill
>these products.
>Section III(D) takes this disturbing trend even further. It deals
>with disclosure of information regarding the APIs for incorporating
>non-Microsoft "middleware." In this section, Microsoft discloses to
>Independent Software Vendors (ISVs), Independent Hardware Vendors
>(IHVs), Internet Access Providers (IAPs), Internet Content Providers
>(ICPs), and Original Equipment Manufacturers (OEMs) the information
>needed to inter-operate with Windows at this level. Yet, when we
>look in the footnotes at the legal definitions for these outfits, we
>find the definitions specify commercial concerns only.
>
>But wait, there's more! Under this deal, the government is shut out,
>too. NASA, the national laboratories, the military, the National
>Institute of Standards and Technology -- even the Department of
>Justice itself -- have no rights. It is a good thing Afghanistan is
>such a low-tech adversary and that B-52s don't run Windows.

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